

IN THE UNITED STATES DISTRICT COURT, FOR THE DISTRICT COURT OF  
NEBRASKA

REX STUART KNUTSON,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

DOC. \_\_\_\_\_ No. \_\_\_\_\_

8:09 PM  
COMPLAINT

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
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OFFICE OF THE CLERK

Plaintiff states:

I.

That he is a citizen of the United States of America and a resident of Omaha,  
Douglas County, Nebraska

II.

That the Defendant, at all times hereinafter mentioned, owns and operates the  
Veterans Administration Medical Center (VAMC) located in Omaha, Douglas County,  
Nebraska.

III.

That the amount in controversy, exclusive of interested costs is in excess of  
\$75,000.

IV.

That this action arises out of the Federal Tort Claims Act, 28 U.S.C. §1346(b),  
2671 et. sec. and 28 U.S.C. §4116(a). That pursuant to this Act, Plaintiff timely filed an  
administrative claim and timely filed an appeal. That this claim was ultimately denied by  
the Defendant by the Department of Veteran Affairs on August 22, 2008.

V.

That on or about February 1, 2005 thru February 7, 2005, Plaintiff was a patient at the VAMC. That during this period, the Defendant, by and through its agents and employees, representatives and staff at the VAMC, negligently failed to provide to him appropriate medical care and treatment under the circumstances, including, but not limited to, failing to properly administer and monitor IV fluids, and failing to properly diagnosis and treat his inflammatory bowel disease.

VI.

That as a direct and proximate result of the negligence of the Defendant, as hereto set forth in paragraph 5, the Plaintiff suffered a left pan middle cerebral stroke with left stem stenosis with residuals, loss of enjoyment of life, aggravation and inconvenience. That these injuries are all permanent in nature. That because of these injuries Plaintiff has incurred medical expenses and will incur future medical expenses. The Plaintiff has suffered, now suffers and will in the future continue to suffer great and excruciating permanent physical pain and mental anguish. That Plaintiff has lost income and wages because of these injuries and will lose income in the future. That because of these injuries, Plaintiff's earning capacity has been permanently diminished and impaired.

WHEREFORE, Plaintiff prays for judgment against the Defendant in the amount of \$1,000,000 together with his costs herein expended.

Dated this 19<sup>th</sup> day of Feb, 2009.

  
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REX STUART KNUSTSON, Plaintiff  
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Omaha, Nebraska 68105  
(402) 346-4848